

BARRY J. PORTMAN
Federal Public Defender
LOREN D. STEWART
Assistant Federal Public Defender
19th Floor Federal Building – Box 36106
450 Golden Gate Avenue
San Francisco, CA 94102
Telephone: (415) 436-7700
Counsel for Defendant REYES

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-10-0146 VRW
)	
Plaintiff,	)	STIPULATION AND PROPOSED
	)	ORDER CONTINUING STATUS
vs.	)	CONFERENCE
)	
	)	Current Hearing Date: June 3, 2010
MARIA VIRGINIA REYES and	)	Time: 2:00 p.m.
CHRISTINE REYES,	)	Judge: Hon. Vaughn R. Walker
)	
Defendants.	)	Proposed Hearing Date: August 26, 2010
	)	Time: 2:00 p.m.
	)	Judge: Hon. Vaughn R. Walker

The above-captioned case is currently scheduled for a status conference on Thursday, June 3, 2009 at 2:00 p.m. At the last calling of the case, the parties advised the Court that the Government had produced nearly 15,000 pages of discovery to defense counsel. Since that date, defense counsel have been engaged in the diligent review of the discovery. In addition, on May 7, 2009, defense teams met with Government counsel and the case agent for an evidence view at the U.S. Attorney's Office. Following the evidence view, counsel for Christine Reyes made supplemental discovery requests on May 13, 2010, that are pending. Further, Government counsel tendered plea offers to defense counsel for both defendants.

1 In light of the ongoing discovery requests and discovery review, as well as the pending
 2 plea negotiations, the parties hereby jointly request that the Court vacate the status conference
 3 previously set for June 3, 2010. The parties jointly request that a status conference be set for
 4 August 26, 2010, at 2:00 p.m. Undersigned counsel for Maria Virginia Reyes confirmed the
 5 Court's availability for that date with Your Honor's Courtroom Deputy on May 28, 2010.

6 Further, the parties stipulate and jointly request that time be excluded from the Speedy
 7 Trial Act calculations from Thursday, June 3, 2009 through Thursday, August 26, 2009 for
 8 effective preparation of counsel. The parties agree that the ends of justice served by granting
 9 such a continuance outweigh the best interests of the public and the defendants in a speedy trial.
 10 *See* 18 U.S.C. § 3161(h)(7)(A).

11
 12 IT IS SO STIPULATED.

13 May 28, 2010
 14 DATED

/s/
 THOMAS MOORE
 Assistant United States Attorney

15 May 28, 2010
 16 DATED

/s/
 LOREN STEWART
 Attorney for Maria Virginia Reyes

17
 18 May 28, 2010
 19 DATED

/s/
 DAVID SHAPIRO
 Attorney for Christine Reyes

20
 21 //

22 //

23 //

24 //

25 //

26 //

~~PROPOSED~~ ORDER

For good cause shown, the status conference now scheduled for Thursday, June 3, 2010 is vacated. The matter shall be added to the Court's calendar on Thursday, August 26, 2010 at 2:00 p.m.

In addition, for the reasons stated above, the Court finds that an exclusion of time from June 3, 2010 through August 26, 2010 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §3161 (h)(7)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

6/2/2010

DATED

